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91-11-4353060

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GRAMS:

TRADE MARK

**Our Ref:
9409(PCT)**

June 26, 2001

Austrian Patent Office
Kohlmarkt 8-10
A-1014 Vienna
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Fax # 1/53424/200

***Re: Response to the Written Opinion
International Application No.: PCT/IN 99/00055***

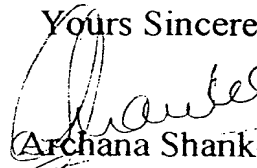
Dear Sir,

Please find enclosed herewith our response to the Written Opinion dated 11th May 2001 in respect of the aforesaid international application.

Kindly take the said documents on record and acknowledge the receipt of the same.

With Best Regards,

Yours Sincerely,


Archana Shanker.

PATENT CO-OPERATION TREATY
AUSTRIAN PATENT OFFICE
KOHLMARKT 8-10
A-1014 VIENNA
AUSTRIA

Applicant : RAJGARHIA ASHOK.
Application No. : PCT/IN 99/00055
Int'l Filing Date : 14 October 1999.
Title : A synergistic composition for the treatment of liver and
Liver associated ailments and a process for preparing the
Same.
Docket No. : 9409 (PCT)

Submissions under Rule 66.3 of the PCT

Austrian Patent Office
Kohlmarkt 8-10
A-1014 Vienna
Austria

Dear Sir,

Thank you very much for the written opinion dated 11th May 2001 in respect of the aforesaid international application.

Our submissions to your statements in the written opinion (point wise) are given below:

1. Claims 1 and 2 do not fulfill the criterion of novelty.

1.1 – The above-mentioned claims is not anticipated by Patent no. CN-1-096211A since the said patent is used to improve symptoms of haemorrhoids and related swelling, prolapses and constipation whereas the utility of the present invention lies in the treatment of liver and liver associated ailments.

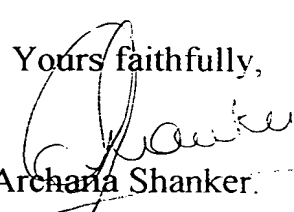
- 1.2 - The subject matter of the above-mentioned Patent no. CN1-096211A is a formulation of fourteen separate ingredients of which only two form the ingredients specific to the present invention.
- 1.3 - The title to the invention in the Patent no. CN-1-096211A claims to make an oral medicinal pill whereas the title to the application in the present invention claims to make a synergistic composition.
- 1.4 - The composition of licorice root (*Glycyrrhiza glabra*) and *Picrorhiza* rhizome in the Patent no. CN-1-096211A is derived subject to the other twelve ingredients used in the formulation, and is given as 3-7 % and 5-15% respectively. On the other hand, the composition of the specific and reproducible ingredients of the present invention namely, *Glycyrrhiza glabra* and *Picrorhiza kurroa* is given as 2-1:1-3 and 1.25:2.
- 1.5 - Hence, our humble submission is that the instant composition for the treatment of liver and liver associated ailments is novel.

2. Claims 3 and 4 do not fulfill the criterion of inventive step (non-obviousness).

- 2.1 - Hence, the particular claims 3 and 4 are concerned with only two ingredients namely, *Glycyrrhiza glabra* and *Picrorhiza kurroa*, whereas Patent no. CN-1-096221A when taken as a whole is found to be an oral medicinal pill comprising fourteen ingredients.
- 2.2 - It is further submitted that the traditional Chinese and Ayurvedic medicines are based on the principle of admixture of individual ingredients having independent action. The present invention has been arrived at after numerous tests and clinical trials to determine the effect of the composition having synergistic action. Thus, the invention has a complex and synergistic effect which would not be obvious to skilled person in the art.

In view of the above submissions, it is requested to kindly reconsider the objections on the ground of novelty and non-obviousness. We are also enclosing a copy of the International Search Report and International Preliminary Examination Report.

Yours faithfully,


Archana Shanker.

- Encl.: - International Search Report.
- International Preliminary Examination Report.